

BOARD OF HEALTH MEETING MINUTES FEBRUARY 5, 2015

The meeting of the Middlesex Board of Health was held on the above date in the Municipal Building and called to order at 7:00 p.m. by the Board President with the following statement:

"This meeting is being held in compliance with the Open Public Meeting Law in that all the requirements of the Law have been met by the Sunshine Law Meeting Notice forwarded to the Courier News, Home News, and Star Ledger and posted in the Municipal Building on December 8, 2014.

Roll Call

Barbara Benson
Amy Bigge
Amy Burke
Charles Corcoran
Melissa Fedosh
Thomas Harrity
Ceil Slauson

Others in Attendance: Kevin Dotey, Liaison
Terry Brundage, SREHS

Minutes

Board Member Slauson made a motion to accept the January 8, 2015 meeting minutes, seconded by Board Member Bigge and carried by the following roll call vote. Ayes: Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. No: None. Abstain: Benson.

Executive Session: None

Presentation

Borough Attorney Aravind Aithal reviewed with the Board of Health members the Board powers & duties. Attorney Aithal noted that this Board was the 5th ordinance the Governing Body adopted in 1913. The ordinance does not state whether the board is an autonomous board or advisory board. . Attorney Aithal stated that the Mayor and Council will have to decide whether the Board is autonomous or

advisory. Liaison Dotey will review with the council at the February 10th meeting. Board member Slauson noted that she did some homework and to further protect the board we might need to have director's insurance /certificate of insurance. Also discussed was the possible need for the Board to have their own attorney. Attorney Aithal stated that there are boards of health that have their own attorney but they are autonomous boards.

Members of the Board questioned why the Mayor signed the contract with the County as the Board is employing them to do their duty as they report to the Board of Health. Attorney Aithal indicated that he advised the Mayor to sign it.

President Harrity opened the meeting up to the public for discussion on this item only.

Robert Sherr, 212 Lucia Street – Former Mayor Robert Sherr stated that he was a licensed health officer for 35 years and stated that the attorney did a great job enumerating everything. He believes that it makes good sense to tighten and clarify that the board is autonomous and to amend the ordinance to state it. In his tenure in other municipalities, the boards have been sued but were dismissed because personal attacks did not hold up in judicial review. The former Mayor suggested the board members get involved with the New Jersey Board of Health Association as they run a training program and to have Les Jones, the County Health Official attend meetings.

See no further public participation regarding this subject, President Harrity closed this portion of the meeting.

President Harrity stated that he will contact Les Jones to come to the next Board of Health meeting.

Reports

- A. Activities Report – REHS, Terry Brundage presented the Activities Report for January, 2015.
- B. Registrar's Report - Board Secretary read the Registrar's Report for January, 2015..
- C. Middlesex County Environment Health Division (Air, Water, Noise &Solid Waste Complaints) – None

Finance Report

- A. Board of Health License Fees Collected: January, 2015 \$ 0.00

B.	Bill List – Resolution to Acknowledge All Claims:	\$	0.00
C.	Registrar Fees Collected: January, 2015	\$	88.00

Board Member Harrity made a motion to accept the Financial Report seconded by Board Member Fedosh and carried by the following roll call vote. Ayes: Benson, Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. No: None. Abstain: None.

Correspondence – None

Unfinished Business

- A. By-Laws of the Middlesex Board of Health – Board President Harrity recommended the Board discuss the by-laws at the next meeting when we should have more information regarding the status of the board. Board member Corcoran made a motion to table, seconded by Board member Fedosh and carried by a unanimous vote of all board members.

- B. Public Health Interlocal Agreement – Board President Harrity stated that the Attorney mentioned earlier that he recommended the Mayor execute the contract. Board members asked that we resend the contract to the county to have both signatures (the Mayor and the Board President) on it. VP Burke made that motion seconded by Board member Fedosh and carried by the following roll call vote: Ayes: Bigge, Burke, Corcoran, Fedosh, Harrity, Slauson. No: Benson Abstain: None.

Board member Benson asked that it be reflected in the minutes that she is waiting for recodification.

- C. Fracking Ordinance – Board member Slauson had the ordinance for the Board to review. The ordinance also includes Fracking Ban and Waste Ban. It will enable recovery if any fracking waste trucks overturn. Board member Fedosh made a motion seconded by Board member Bigge to have our liaison, Kevin Dotey bring this ordinance to the governing body to review and consider adopting the fracking ordinance recommended by the Board of Health.

- D. Permit for Out of Town Food Vendors - At the last meeting the board agreed not to charge the non-profit organizations for food licenses renewals. Board member Slauson had questions regarding vendor from out of town coming in

and doing food preparation and using the non-profit facility in town. Board member Slauson questioned what our health inspector has to do for a temporary inspection for these events. Board member Slauson will research for further review.

- E. School Communication Regarding Reports of Illnesses – Board member Fedosh reported that she spoke with Lori Bowers from the school and she has not sent us a report since Middlebrook left and the county took over the services. Board member Fedosh will contact Terri Mans to get the information that the school is reporting to the county.
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New Business

Cat Colony Ordinance – Board member Corcoran requested that we review the cat colony ordinance at the last meeting. Board member Corcoran requested that we reconsider the number of managed cat colonies allowed in the town. It was noted that the ordinance was adopted by the governing body and not the Board of Health. Discussion ensued regarding managed cat colonies and cat colonies not managed and TNR. After much discussion, Board member Corcoran withdrew his motion because he didn't have support.

Website

- A. The Calendar of Events was posted for the month of March.
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Public Portion

President Harrity opened the meeting to the public for anybody wishing to speak. Seeing that there were no public comments, President Harrity closed the public portion of the meeting.

Board member Slauson moved for adjournment seconded by Board member Burke and carried by a unanimous vote of members present.

Kathleen Anello
Board Secretary